



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Michael D. Zoeckler)	Examiner: Harmon, C.R.
)	
Serial No.: 09/818,023)	Art Unit: 3721
)	
Filed: March 27, 2001)	Attorney Docket No.: 7137 CIP1
)	(R029 1057)
For: PAPERBOARD CARTONS WITH)	
LAMINATED REINFORCING RIBBONS)	
AND TRANSITIONED SCORES AND)	
METHOD OF MAKING SAME)	

REQUEST FOR RECONSIDERATION

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request for Reconsideration is being filed in the above-identified application in response to the Communication dated March 22, 2005 regarding the Decision on Petition mailed on August 18, 2004. As detailed in the Petition, Appellant discovered that an Examiner's Answer, which had been mailed on December 1, 2003, had not been received. Appellant immediately filed a Petition to reset the response date to accept the Reply Brief filed March 16, 2004.

During the time between mailing the Appeal Brief and the mailing date of the Examiner's Answer, the assignee of the Appellant was in the process of being acquired by Graphic Packaging International and also was in the process of moving its operations into new headquarters. The Examiner's Answer apparently was mailed to Appellant's old address. The

"Decision on Petition" states "a part of the showing that is necessary to have the reply period restarted includes is that petitioner provide evidence establishing late receipt of mailed Office correspondence at the correspondence address of record." Appellant only learned of the Examiner's Answer through the PAIR system and did not receive a copy of the Examiner's Answer until February 25, 2004. Appellant hereby requests reconsideration of the Decision on Petition since Appellant filed the Reply Brief as soon as non-receipt of the Examiner's Answer was discovered.

In response to the Decision on Petition, the Supervisor of the art unit in which the application is pending rejected entry of the Reply Brief and the Supplement to Appeal Brief. Appellant requests reconsideration by the Supervisor of the entry of the Supplement to Appeal Brief. The Supplement to the Appeal Brief merely apprises the Board of Appeals of the current assignee of the present application as is required under new Part 41 of the Rules as published in the Federal Register 69 F.R. 49960. Under this Rule, a Supplement to Appeal Brief must be supplied by the Appellant after a new assignee is named and an entry of such required supplementation should not be influenced by the Decision on Petition dated August 18, 2004.

Respectfully submitted,

3/29/05
Date

Keats A. Quinalty
Keats A. Quinalty
Reg. No. 46,426
Barry D. Biddle
Reg. No. 44,033
Attorneys for Appellant

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
P.O. Box 7037
Atlanta, Georgia 30357-0037
(404) 879-2423 (Telephone)
(404) 879-2923 (Facsimile)

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

March 29, 2005
Cheryl West